



PATENT

CFC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Tatsuo SHIMOFURUTANI

Patent No.: 7,121,180 B2

Issued.: October 17, 2006

Serial No.: 10/601,685

Filed: June 23, 2003

Title: BAND SAW, BAND SAW
PROCESSING APPARATUS AND
BAND SAW MANUFACTURING
METHOD

Group Art Unit: 3724

Examiner: Kenneth E. Peterson

Attorney Docket No.: KASA:026

COMMISSIONER FOR PATENTS

Attention: Certificates of Corrections Branch

P.O. Box 1450

ALEXANDRIA, VA 22313-1450

Certificate of Mailing

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DATE: 10/24/06By: MARC A. ROSSIREQUEST FOR CERTIFICATE OF CORRECTION

Sir:

Applicant requests that a Certificate of Correction be issued to correct an error that appears in the above-referenced patent due to a mistake made on the part of the Office, namely, the omission of Claim 4. Applicant refers the Office back to the Amendment filed on July 17, 2006, in which Claim 4 (indicated as Claim 21) appears; and to the Response to Rule 312 Communication filed on July 24, 2006, which shows, that Claim 4 (Claim 21) was entered by the examiner. For the convenience of the Office, the Applicant encloses a portion of the Response to Rule 312 Communication filed on July 24, 2006, which will show that Claim 4 was entered by the examiner. Applicant requests that a Certificate of Correction be issued to make this correction.

However, in the event that it should be determined that the error is not the fault of the Office, the Commissioner is authorized to charge deposit account 18-2056 any fees associated with the issuance of the Certificate of Correction.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

MARC A. ROSSI
REG. NO. 31,923

DATE

10/24/06**Certificate
of Correction**
NOV 01 2006

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NOV - 2 2006

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

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PATENT NO. : 7,121,180 B2

APPLICATION NO.: 10/601,685

ISSUE DATE : October 17, 2006

INVENTOR(S) : Tatsuo SHIMOFURUTANI

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Section (57) CLAIMS: the following claim was omitted and should be included:

-- 4. A band saw processing apparatus according to claim 1, wherein said first pre-mounting straight section is angled to strengthen and enhance durability of the saw teeth.--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

ROSSI, KIMMS & McDOWELL LLP
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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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NOV - 2 2006

Response to Rule 312 Communication



Application No.

10/601,685

Applicant(s)

SHIMOFURUTANI, TATSUO

Examiner

Kenneth E. Peterson

Art Unit

3724

The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

1. ☒ The amendment filed on 17 June 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

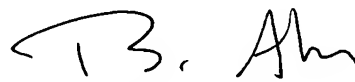
e) ☒ entered in part. See explanation below.

New claim 21 (corresponding to cancelled claim 10) has been entered. Claim 10 should not have been cancelled by the Examiner, who regrets any delay caused by this.

New claims 15-17 and 22 will not be entered. In his arguments, Applicant cites MPEP 821.04(a). However, this paragraph requires that the new claim "has all the limitations of the allowable claim". This is not the case. New claim 15 is "for obtaining a band saw" but does not actually claim the band saw itself, and thus does not have "all the limitations of the allowable claim".

New claims 18 and 23 will not be entered. In his arguments, Applicant cites MPEP 821.04(b). However, this paragraph requires that the new process claim "has all the limitations of the allowable product claim". This is not the case. New claim 18 only mentions the product in the preamble. Only limitations recited or referred to in the body of the claim (after "comprising") are given weight. Since not all of the limitations of the allowed product can be given full weight, claim 18 does not have "all the limitations of the allowable product claim". Furthermore, there are limitations missing from the allowed product claim, most notably "continuous" on line 4 should be --extending continuous--, and "tension zone" on line 8 should be --tooth side base tension zone--.

New claims 19, 20 and 24 will not be entered. In his arguments, Applicant cites MPEP 821.04(b). However, this paragraph requires that the new claim "has all the limitations of the allowable product claim". This is not the case. New claim 19 is "for a band saw" but does not actually claim the band saw itself, and thus does not have "all the limitations of the allowable claim". Furthermore, new claim 19 only fully mentions the product in the preamble. Only limitations recited or referred to in the body of the claim (after "comprising") are given weight. Since not all of the limitations of the allowed product can be given full weight, claim 19 does not have "all the limitations of the allowable product claim".


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SUPERVISORY PATENT EXAMINER


KENNETH E. PETERSON
PRIMARY EXAMINER

100 - 2 2006